

Whereas the Senate reaffirms the policy, as provided in section 301(b)(1) of the Indian Health Care Improvement Act (25 U.S.C. 1631(b)(1)), that—

“(1) Notwithstanding any provision of law other than this subsection, no Service hospital or outpatient health care facility of the Service, or any portion of such a hospital or facility, may be closed if the Secretary has not submitted to the Congress at least 1 year prior to the date such hospital or facility (or portion thereof) is proposed to be closed an evaluation of the impact of such proposed closure which specifies, in addition to other considerations—

“(A) the accessibility of alternative health care resources for the population served by such hospital or facility;

“(B) the cost effectiveness of such closure;

“(C) the quality of health care to be provided to the population served by such hospital or facility after such closure;

“(D) the availability of contract health care funds to maintain existing levels of service;

“(E) the views of the Indian tribes served by such hospital or facility concerning such closure;

“(F) the level of utilization of such hospital or facility by all eligible Indians; and

“(G) the distance between such hospital or facility and the nearest operating Service hospital.”;

Whereas the Secretary of Health and Human Services, acting through the Director of Indian Health Service, has proposed that the operating hours of the Wagner Service Unit, which serves the Yankton Sioux Tribe and others, should be reduced from 24 hours per day to the hours between 7:00 a.m. and 11:00 p.m.;

Whereas the 1997 proposed closure report, submitted by the Secretary pursuant to section 301(b)(1) of the Indian Health Care Improvement Act (25 U.S.C. 1631(b)(1)), is currently out of date and no longer accurately represents the impact of such closure upon eligible Indians at the Wagner Service Unit; and

Whereas, during the previous year, the Santee Sioux Tribe of Nebraska requested health care services formerly provided by the Indian Health Service under the Indian Self-Determination Act (25 U.S.C. 450 et seq.) from another provider, thereby removing “shares” from the Wagner Service Unit and creating a budgetary crisis that forced the facility to announce reductions in the operating hours of the emergency room: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that—

(1) pursuant to section 301(b)(1) of the Indian Health Care Improvement Act (25 U.S.C. 1631(b)(1)), the Secretary of Health and Human Services, acting through the Director of Indian Health Services, should submit to Congress a new report that evaluates the impact of reduction in emergency room services at the Wagner Service Unit of Indian Health Service; and

(2) the Secretary should maintain the current operating hours of the Wagner Service Unit until the Secretary submits to Congress a report described in paragraph (1).

#### AUTHORITIES FOR COMMITTEES TO MEET

##### COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet on Monday, January 30, 2006, at 2 p.m., for a hearing titled, “Hurricane Katrina: Urban Search and Rescue in a Catastrophe.”

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PRIVILEGES OF THE FLOOR

Mr. INHOFE. Mr. President, I request that my fellow, Scott Fisher, be granted floor privileges during the debate tonight and for tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ORDERS FOR TUESDAY, JANUARY 31, 2006

Mr. INHOFE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:45 a.m. on Tuesday, January 31. I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate proceed to executive session to resume consideration of the nomination of Samuel Alito to the United States Supreme Court as under the provisions of the previous order.

I ask further that the time until 10:20 a.m. be equally divided, with the time from 10:20 to 10:30 under the control of Senator LEAHY and the time from 10:30 to 10:40 under the control of Senator SPECTER, the time from 10:40 to 10:50 under the control of the Democratic leader, and the time from 10:50 to 11 be reserved for the majority leader. I further ask unanimous consent that following the vote on confirmation, the Senate proceed to the consideration of the nomination of Ben Bernanke to be Chairman of the Federal Reserve, as under the previous order.

I further ask unanimous consent that the Senate stand in recess from 12:30 to 2:15 p.m. to accommodate the weekly party luncheons, and that Senator BUNNING be recognized at 2:15 for his 30 minutes of debate on the Bernanke nomination.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PROGRAM

Mr. INHOFE. Tomorrow morning at 11 o'clock we will vote on the confirmation of Judge Alito to be an Associate Justice on the Supreme Court. Senators should be seated at their desks for this historic vote. Following that vote, we will consider the nomination of Ben Bernanke to be Chairman of the Federal Reserve under a time agreement reached last week. Tomorrow evening we will proceed as a body to the House Chamber to hear the President's State of the Union Message, which is due to be delivered at 9 o'clock eastern standard time.

#### ADJOURNMENT UNTIL 9:45 A.M. TOMORROW

Mr. INHOFE. If there is no further business to come before the Senate, I ask unanimous consent the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 7:44 p.m., adjourned until Tuesday, January 31, 2006, at 9:45 a.m.